IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER,
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 22875 of 1994

Between:

1 B.V.Suryanarayana(died) S/o.late Somanna
Dock Labour Board Visakhapatnam, R/o.Visakhapatnam
2 B.V.Lakshmi
3 B.V.J.S.Murthy
(Petitioners 2 & 3 are brought on record as LRs of the 1st Petitioner as per CO dt.25/9/95 in WP mp 25312/95)

..... PETITIONERS

AND

1 The Chairman, Visakhapatnam Dock Labour Board Visakhapatnam
2 The Secretary, Ministry of Transport Trasport Bhavan, New Delhi

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction particularly one in the nature of writ or mandamus declaring the action of the respondents in not considering is representation and granting him increments and denying him the same benefit that has been extended to his junior/successor in office who had the benefit of increased pension as illegal, arbitrary, discriminatory and violative of Articles 14 & 16 of the Constitution of India and further directing the respondents to take into account the service rendered by him in visakhapatnam, Stevedore' Association for the purpose of calculating pension, gratuity and other retiral benefits and also directing the respondents to revise his retiral benefits on the basis of his pay after pending the increment in accordance with FR.27 and on that basi, pay the difference in gratuity, commutation of pension and leave salary and also continue to pay him pension on the increased amount.

Counsel for the Petitioner : MR.M.PANDURANGA RAO

Counsel for the Respondent No.1: MR.K.SRINIVASAMURTHY

Counsel for the Respondent No.2 : MR.AKTHER AHMED JABRI

The Court made the following :

O R D E R :

This matter relates to grant of increments and connected benefits to the petitioner B.V.Surayanarayana. However, he died during the pendency of the proceedings in the year 1994. Even though, the legal representatives were brought on record, I find that it is not a case for adjudication at this distance of time.

2. Accordingly, the Writ Petition is closed. No costs.

G. BIKSHAPATHY, J

Dated:02 -09-2004

Ccm

To

1. The Chairman, Visakhapatnam Dock Labour Board Visakhapatnam
2 The Secretary, Ministry of Transport Trasport Bhavan, New Delhi

3. 2 CD Copies.